

HALE IS WITH BROWNSON

CHAIRMAN OF NAVAL COMMITTEE OPPOSES PRESIDENT.

Says It Would Be Against the Interests of the Navy to Put Staff Officers in Command Rank—Admiral the Admiral for Resigning When He Was Overruled.

WASHINGTON, Dec. 27.—Words of reproach for Surgeon-General Rixey of the Navy, the President's family physician and victor in the staff and line discussion, which caused Rear Admiral Brownson to retire from the Bureau of Navigation, were spoken to-night by Senator Hale of Maine, chairman of the Senate Committee on Naval Affairs. In an interview Mr. Hale said:

"To begin with, Admiral Brownson is one of the ablest and most accomplished officers of the navy. No one has shown more executive ability in every situation where he has been placed than Admiral Brownson. The controversy that has arisen, and which resulted in the Admiral's resignation, raises the old question between line and staff, and in this case something more than that."

"In all that controversy thus far my sympathies have been with the staff. I believe that staff officers should receive positive rank and complete recognition by title, the same as in the army, where, as far as I can learn, no harm to the service has resulted."

"And before this incident I had prepared a bill for introduction in the Senate giving to the staff positive rank and titular recognition everywhere in the service, but in framing the bill I added this clause: 'That no such staff officer should be put in actual command of any naval vessel.'"

"Notwithstanding the strong presentation of the case by Surgeon-General Rixey, I do not know of any instance when a controversy has arisen and both sides have been heard where any other than a line officer has been put in actual command of a naval vessel. I do not understand that before this staff officers, insisting that they should receive positive rank and title, have claimed actual command."

"Indeed, one of the objections made to this by the line has always been that the granting to the staff such rank and title would be followed by a further claim for actual command. I think this has generally been repudiated by the old staff officers, and I certainly have always taken that position."

"I believe it would be subversive of order and discipline for a Surgeon or Paymaster or chaplain to be in command of a naval vessel manned by a crew of naval seamen."

"There is something refreshing about the courage and independence shown by Admiral Brownson in immediately tendering his resignation when he was overruled in his view of the law and of the policy in his bureau which he deemed for the essential good of the navy."

"He is not made of the stuff that, when overruled, submits a feeble protest and pockets the humiliation of continuing in a rebuffed and discredited service."

"I venture to say," concluding Senator Hale, "that he will lose nothing with his associates or with the country by his self-respecting course. I am not, in saying this, speaking for him, for I have seen neither him nor any of his friends since his resignation. What I say has its root in an official connection with the navy for nearly forty years in both branches of Congress."

The formal order detaching Rear Admiral Willard H. Brownson from duty as Chief of the Bureau of Navigation was issued at the Navy Department to-day. Admiral Brownson is also detached from duty as a member of the army and navy joint board and is ordered to proceed to his home.

CINCINNATI, Dec. 27.—The medical side of the navy controversy has received the commendation of the legislative committee of the American Medical Association. Dr. Charles A. L. Reed, chairman of that committee, to-day sent a congratulatory telegram to Surgeon-General Rixey at Washington.

"Your demand and the President's order giving the medical corps of the navy actual control where it has actual responsibility command grateful approval by the 140,000 physicians of the United States."

OFFICE BOY'S BIG SWINDLE.

Alleged to Have Run Three Co-ownership Concerns, All on Paper.

DETROIT, Dec. 27.—Edwin W. Muggelberg, 29 years old, a curly haired, blue eyed lad, was arraigned before United States Commissioner Walter S. Marsh this morning charged with using the mails to defraud.

As evidence Post Office Inspector Larmore offered three checks amounting to more than \$1,000, one of which Muggelberg was an officer of the Standard Co-ownership Company, and the others backed by W. W. Deloy as president of the same concern, though the writing on all was evidently the same. Muggelberg admitted that he had cashed the one check, but denied any other part in the transaction.

For six months three concerns have been juggling co-ownership supplies with Detroit appearing on their letterheads as headquarters. They were named the Standard Co-ownership Company, Michigan Manufacturing Company and W. H. Baldwin.

Goods were purchased from manufacturers in Wisconsin in car lots and shipped direct to Cleveland and Detroit where they had been previously sold. The dealings looked square till the bills of the Wisconsin manufacturers came and it was then discovered that the Detroit concerns didn't exist. Then the Degan Stave and Hatching Company complained to the post office authorities and the arrest of Muggelberg followed.

Muggelberg has been employed as an office boy and minor clerk for the National Manufacturing Company for the last nine months.

VAN NORDEN TRUST COMPANY

Acts as executor, and trustee. Takes entire charge of real estate and mortgages. Keeps accounts for charitable institutions and trustees. Furnishes information for the purchase and sale of investments.

Fifth Ave. 60th St., N.Y.

"ELEVATOR FIXER" A THIEF.

He Took Jewelry From Several Places and Planned to Get in Others.

Ernest Archer, an electrician, 26 years old, was arrested yesterday afternoon in the home at 11 West Fifty-third street of William W. Barbour, son of Col. Barbour, on a charge of stealing about \$200 worth of jewelry. Archer went to the home and represented himself as an inspector for the elevator company and said he had been sent to inspect the elevator in the house.

When the butler went to the door Archer said he was in a hurry to look over the elevator for the company and showed a blue print of the apparatus. He told the butler to go into the cellar and watch the base of the elevator shaft while he went upstairs to the top. The butler went as directed and then got suspicious of the man and went up to the second floor and saw the visitor in Mr. Barbour's room picking up neckties, watches and other jewelry from the bureau and stuffing them in his pocket.

Lambert got the man downstairs and called on two other men servants to hold on to him while he telephoned for the police. Collected from the East Fifty-first street station arrested the electrician and then made some interesting discoveries.

In the prisoner's pockets were found two pawn tickets of recent date and the keys of the elevators at the homes of John D. Rockefeller, John J. Astor, Raymond Hoagland of 23 West Fifty-second street and Dr. James A. Bluff of 10 West Fifth street. So far as the police could learn, the young man had not visited the home of Mr. Rockefeller or Mr. Astor.

On inquiry the police learned that the elevator fixer had been at the home of Mr. Hoagland and Dr. Blair yesterday and had stolen \$30 worth of silverware from the former and \$50 worth of jewelry from the latter.

When the prisoner was taken to the Yorkville police court Mr. Barbour appeared and made a complaint of larceny against him. The butler employed in the Blair and Hoagland residences also made complaints.

The prisoner said that up to a month ago he had been employed by the Otis Elevator Company and had stolen the blue prints while employed.

"This is a first rate capture, and I want to commend the wide awake butler," said the Magistrate as he held the prisoner in \$3,000 bail for trial.

Archer is half Indian, half negro. He gave his address as 2665 West Thirty-sixth street.

NO PLACE FOR CITY JUDGES.

Six New Ones Ready, But There Are No Court Rooms for Them.

There will be six new City Court Judges ready to take their seats on the bench on January 1, but it is doubtful if they will be able to find a place to sit. The Board of Estimate had this matter before it several weeks ago, and Comptroller Metz was appointed to consider the availability of the old East River Savings Bank Building.

The board adjourned, however, until January 1 without providing any place. The new judges can't sit in the City Court building as it is full already. Mr. Metz said yesterday that he had examined the savings bank building, but it is unfit. What would be done ultimately, he said, would depend on their story on the old City Court Building.

ROOSEVELT A GREATNESS TRUST

Combines Washington, Lincoln, Jupiter, Bismarck and Buffalo Bill.

LINCOLN, Neb., Dec. 27.—"Theodore Roosevelt is a combination of George Washington, Abraham Lincoln, Jupiter, Bismarck and Buffalo Bill," said Principal of Bellevue at the State Teachers' Association, discussing "Vital Men," to-day.

The statement was cheered.

Gathering of State Stenographers.

The New York State Stenographers' Association held its fourth annual meeting yesterday in the County Court House, where the stenographers, about 250 in all, were welcomed by Justice Greenbaum of the Supreme Court, Charles H. Regan, a stenographer in the Second Department of the Supreme Court, presided.

The association will have a dinner at the Hotel Manhattan to-night.

Canfield John W. Gates's Guest in Texas.

PORT ARTHUR, Tex., Dec. 27.—Richard A. Canfield of New York is the guest of John W. Gates at the latter's winter home in Port Arthur. It is reported that Canfield is to be associated with Mr. Gates in the oil business.

Army and Navy Orders.

WASHINGTON, Dec. 27.—These army orders were issued to-day:

Major Lyman W. V. Kenyon, Tenth Infantry, from the treatment General Hospital, Washington, to join his regiment.

Captain J. J. Williams, from the Philippines to San Francisco.

Capt. J. J. Williams, Assistant Surgeon, from New York City, to San Francisco.

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Retirement of Brig. Gen. Charles S. Smith is announced.

These navy orders were issued:

Rear Admiral W. H. Brownson, retired, from duty as Chief of Bureau of Navigation, Navy Department, and member of Joint Army and Navy Board, to home.

Commander J. M. L. Jayne, from command of the Albatross to home.

Midshipman R. W. Cahoon, from the Wilmington to home.

Midshipman C. B. Mayo, from the Calico to the Wilmington.

THE TRUST BUSTING CAMPAIGN

ACHIEVEMENTS OF THE ROOSEVELT ADMINISTRATION.

Pamphlet From the Attorney-General's Office Shows That Roosevelt Accomplished Little, If Anything, More in Six Years Than Cleveland Did in Four.

WASHINGTON, Dec. 27.—The trust busting achievements of the Roosevelt Administration, with a naive comparison in tabulated form with the less conspicuous victories of other Administrations, both Republican and Democratic, are celebrated in a pamphlet prepared in the office of the Attorney-General. A similar document was prepared early in the year, but the revised edition is more ample and it brings the record up to date.

While the pamphlet purports to be a mere record of the information which it contains is set forth in such a way as to invite comparison between the Roosevelt and the McKinley Administrations and between the present regime and periods when Grover Cleveland and Benjamin Harrison respectively sat in the Presidential chair.

The summary of cases which the official pamphlet presents would make it appear that the Roosevelt Administration in six years has accomplished little if anything more under the act to regulate commerce than was accomplished in four years by the second Cleveland Administration. The answer to this, according to the Department of Justice officials, is that the recent cases were much more important than the former.

Under the Sherman and Trust laws the Roosevelt Administration in six years has instituted seventeen civil and eighteen criminal actions, a total of thirty-five. In Mr. McKinley's administration there were only three; in Mr. Cleveland's second administration of four years there were nine, and in Mr. Harrison's four year term there were seven.

Railroad prosecutions have formed the chief feature of President Roosevelt's anti-trust policy during the year now closing. Two civil and thirty-six criminal actions have been instituted under the Elkins law, the Sherman law, and many suits begun in former years have been continued. The rebate cases and other actions against common carriers and shippers for violations of the interstate commerce laws which have been instituted this year amount to thirty-eight. Two of these were civil and thirty-six criminal actions.

Under the Sherman law, the Roosevelt Administration in six years has instituted seventeen civil and eighteen criminal actions, a total of thirty-five. In Mr. McKinley's administration there were only three; in Mr. Cleveland's second administration of four years there were nine, and in Mr. Harrison's four year term there were seven.

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COMMUTERS HELD THREE HOURS.

Week of a Garbage Wagon Causes Worrying in Homes Up Nyack Way.

The commuters living along the Northern Railroad of New Jersey up as far as Nyack who left Jersey City at 6:22 o'clock last night were stalled for more than three hours in the outskirts of Jersey City while a garbage wagon and two dead horses blocked both the eastbound and westbound tracks.

The trouble started at about 8:30 o'clock, when a freight train bound for Jersey City struck the wagon, which was driven by Paul Elsing of Secaucus and drawn by three horses, as it crossed the track at the Tyler Park crossing. One of the horses was ground under the locomotive and the wagon was hurled onto the westbound track.

The two Erie trains for Nyack, 327 and 329, which ran out of Jersey City doubled up last night, got to the place soon afterward, and the commuters were forced to work trying to get the wagon and the horses off the track. They couldn't budge the heavy wagon and had trouble extricating the body of the horse from the locomotive.

The railroad officials ordered out the wrecking crew, but it couldn't get to the seat of trouble because the passenger train was in the way. In the meantime the trainload of passengers stormed around until the officials finally recruited enough men to get the horses and the wagon off the track. The wreck and the train had been in a wreck and there was a lot of worry until all the commuters got home.

JULIUS KAHN A SUICIDE.

Young Man's Taking of Poison Apparently Without Reason.

Julius Kahn, a son of E. H. Kahn, a city buyer for out of town mercantile houses, who lived at 1012 E. 12th street, died last night, killed himself yesterday by his father's office in the Textile Building, 66 to 73 Leonard street, by drinking hydrocyanic acid.

Kahn, who was 28 years old, went to his father's office yesterday morning, looking in the best of spirits. He was left alone for a few minutes. When his father returned he found the young man stretched in a room breathing heavily. Dr. Stewart answered an ambulance call from Hudson street hospital, but the young man died before he could be brought to the hospital.

Mr. Kahn could assign no cause for the young man's act. He was in the best of health, Mr. Kahn said, he had no business and the father was certain he had no love affairs. Very recently young Kahn had returned from a pleasure trip to San Antonio, Tex.

Mr. Kahn is seriously ill and word of her son's death has been kept from her.

JOHN C. B. DAVIS DEAD.

Had Been Minister to Germany and for Years Reporter of U. S. Supreme Court.

WASHINGTON, Dec. 27.—John Chandler Bancroft Davis, formerly Minister to Germany and during many of the later years of his life official reporter of the United States Supreme Court, died at his home in Washington to-day. His death was due to a general breakdown resulting from advanced years.

Judge Davis was the son of John D. Davis, an early Governor of Massachusetts, and was born in Worcester in 1822. He lived until next Sunday he would have been 85 years old.

He was graduated from Harvard College in the class of 1840, studied law and entered upon the practice of his profession. He was secretary of the United States Legation in London from 1860 to 1862, and turned to this country to practice law in New York and acted as American correspondent of the London Times until 1867.

He was a member of the New York Legislature in 1869 and Assistant Secretary of State of the United States from 1869 to 1871 and from 1871 to 1874. He was the agent of the United States before the Geneva Court of Arbitration in the Alabama claims and was Minister to Germany from 1874 to 1877.

He was appointed Judge of the Court of Claims and remained on the bench until 1887, when he became official reporter of the Supreme Court. He held that position and from official life several years ago.

Obituary Notes.

Carl Meisel, one of the original members of the Boston Symphony Orchestra and a violinist and teacher of distinction for nearly half a century in Boston, died there yesterday of heart failure, superinduced by grip.

Mr. Meisel was 78 years old. He was married and came to Boston at the age of 23. He gave violin lessons and was a member of the famous old Mendelssohn Quartet club at its organization. He was the last survivor of the quartet.

Strickland, who was disbanded about ten years ago. While looking upon Boston as his home, he was a resident of Chicago during his long professional career in other cities of the country and in Leipzig and other places where he taught in these cities and in Boston have since attained distinction. He was survived by his wife.

Former Illinois State Treasurer Henry Wulff, for years a prominent figure in politics of the State, died yesterday at his home in Chicago. He was one of the widely known politicians of the State. For eight years he served as County Treasurer of Cook County, Ill., from 1890 to 1894. He was an Alderman. After that he and Julius Lobbs, with whom he was associated in the Chicago and North Branch railroad, were prominent in the United States of perpetrating fraud. A sentence of imprisonment for five years was pronounced on Mr. Wulff for his part in the fraud.

Mr. Wulff was released several months ago from prison on parole. He was a member of the Morris County Golf Club, the Morris County Country Club, the Morris County Tennis Club, the Morris County Cricket Club, the Morris County Football Club, the Morris County Hockey Club, the Morris County Baseball Club, the Morris County Basketball Club, the Morris County Swimming Club, the Morris County Rowing Club, the Morris County Canoeing Club, the Morris County Fencing Club, the Morris County Chess Club, the Morris County Bridge Club, the Morris County Lawn Tennis Club, the Morris County Golf Club, the Morris County Country Club, the Morris County Tennis Club, the Morris County Cricket Club, the Morris County Football Club, the Morris County Hockey Club, the Morris County Baseball Club, the Morris County Basketball Club, the Morris County Swimming Club, the Morris County Rowing Club, the Morris County Canoeing Club, the Morris County Fencing Club, the Morris County Chess Club, the Morris County Bridge Club, the Morris County Lawn Tennis Club, the Morris County 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